

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

STATE OF MISSISSIPPI, *et al.*,

*Plaintiffs,*

v.

Civil Action No. 1:22-cv-00113-HSO-RPM

XAVIER BECERRA, in his official capacity as  
Secretary of Health and Human Services, *et al.*,

*Defendants.*

**UNOPPOSED MOTION OF THE ROBERT WOOD JOHNSON FOUNDATION  
TO FILE A BRIEF AS *AMICUS CURIAE* IN SUPPORT OF DEFENDANTS**

The Robert Wood Johnson Foundation (RWJF) respectfully moves this Court for leave to file the brief, attached as Exhibit 1, as *amicus curiae* in support of Defendants' Cross-Motion for Summary Judgment [Docket No. 169]. "While no rule specifically governs amicus status in district court proceedings, courts typically apply Rule 29 of the Federal Rules of Appellate Procedure." *Mississippi v. Becerra*, No. 1:22CV113-HSO-RPM, 2023 WL 5668024, at \*7 (S.D. Miss. July 12, 2023). An amicus brief is permitted where the movant has an interest in the case and the brief is desirable and relevant to the disposition of the case. FRAP 29. Plaintiffs and Defendants have consented to the filing of this amicus brief. *See* FRAP 29(a)(2).

RWJF is a leading national philanthropy dedicated to taking bold leaps to transform health in our lifetime. It works side-by-side with partners to pave the way to a future where health is no longer a privilege, but a right. A core feature of RWJF's philanthropic approach is funding research to identify evidence-based methods of improving health outcomes for all and supporting the implementation and dissemination of such strategies. RWJF believes deeply in the importance of research, evaluation, and learning with the end goal of building an evidence base about what can help us achieve health equity faster. This includes research and data that is rigorously designed

and conducted to deepen our understanding about how to advance racial equity and improve health and well-being in the United States. We support a wide range of research—including research focused on improving the quality of clinical care. As a result, RWJF is deeply familiar with the evidence regarding efforts to reduce racial disparities in health outcomes and seeks to present that evidence to this Court. This evidence will assist the Court in evaluating whether the anti-racism plans described in the challenged Rule constitute efforts to “improve[e] clinical practice or care delivery,” that “is likely to result in improved outcomes” as described in 42 U.S.C. § 1395w-4(q)(2)(C)(v)(III).

### CONCLUSION

For these reasons, RWJF respectfully requests leave to file the attached brief as *amicus curiae* in support of Defendants.

Dated: November 12, 2024

By: /s/ Sarah Grusin

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By: /s/ Greta Martin

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